

ENTERED

June 07, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

MICHELE ANITA DIBASSIE,
Debtor.

SCS REPAIR GROUP, LLC
and
CHRISTOPHER BRIAN REEVES,
,

VS.

EMILYNN DIBASSIE
and
MICHELE ANITA DIBASSIE,
Defendants.

§ **CASE NO: 23-30161**
§ **CHAPTER 13**
§

§ **ADVERSARY NO. 23-3057**
§

ORDER SCHEDULING TRIAL

This case is before the Court concerning the scheduling of trial. Accordingly:

IT IS ORDERED THAT:

1. Plaintiffs have 21 days, or until, June 29, 2023, to replead. Joinder of parties, if any, shall be made by plaintiffs no later than June 29, 2023.
2. Thereafter, Defendants have 21 days, or until, July 20, 2023, to file any amended answer. Joinder or parties, if any, shall be made by defendants no later than July 20, 2023.
3. Parties must make their initial disclosures pursuant to FRCP 26(a) and FRBP 7026 no later than July 21, 2023.
4. The parties are directed to conduct discovery so that the due date of any discovery requested shall not be later than November 21, 2023. The conduct of any discovery that would require a later due date shall be permitted only on the order of the Court or by filed stipulation of

the parties, and only in cases that will not be delayed for trial thereby. The parties should be aware that if they stipulate to the continuation of discovery, this Court will not monitor discovery disputes after November 10, 2023.

5. Any dispositive motions shall be filed no later than December 1, 2023.
6. Any further amendments to pleadings shall be filed no later than November 17,

2023. Parties may amend pleadings without leave of court before this date.

7. This case is set for trial in **Courtroom 403, 515 Rusk St., Houston, Texas, at 9:00 a.m., on January 8, 2024. Two full days are reserved for trial. Personal appearance is required.**

8. Pursuant to Federal Rule of Civil Procedure 16(b)(3)(B)(v), before moving for an order relating to discovery, the movant must request a conference with the Court. The movant must email the Judge's case manager (mario_rios@txs.uscourts.gov) and provide a summary of the discovery dispute. The movant must copy all interested parties on this email. The Court will then enter an order setting a discovery conference or waiving the same. Motions for orders relating to discovery may not be filed absent a discovery conference order, and motions filed without a conference order may be struck and the movant may be subject to sanctions. Please refer to this Court's courtroom procedures concerning discovery disputes, which is located at https://www.txs.uscourts.gov/sites/txs/files/Courtroom%20%20Procedures%20updated%2008%2017%202021_0.pdf.

9. The attorneys for all parties shall meet together by agreement, instigated by counsel for the plaintiff, no later than ten (10) days before the date of the trial to:

- a. discuss the possibility of settlement;
- b. stipulate to as many facts and issues as possible;

- c. examine all exhibits and documents and other tangible evidence proposed to be used at the trial;
- d. furnish opposing counsel the names and addresses of all witnesses;
- e. prepare a pretrial stipulation in accordance with this order; and
- f. complete all other matters which may expedite both the pretrial and trial of this case.

10. No later than five (5) days before the date of trial, the parties shall file with the Court a Pretrial Stipulation which shall contain:

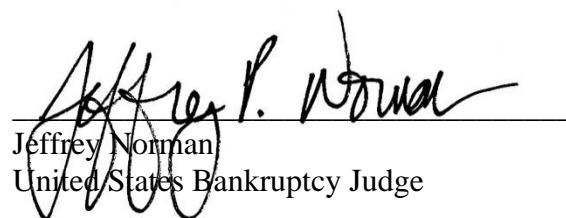
- a. the basis of jurisdiction;
- b. a concise statement of the nature of the action;
- c. a brief, general statement of each party's case or contentions;
- d. a concise statement of those facts which are admitted and will require no proof at trial, together with any reservations directed to such admissions;
- e. a concise statement of those issues of law on which there is agreement;
- f. a concise statement of those issues of fact which remain to be litigated;
- g. a concise statement of those issues of law which remain for determination by the Court;
- h. a list of all exhibits to be offered at trial with notation of all objections thereto;
- i. a list of all witnesses who may be called at the trial and those witnesses who will be called at the trial and a brief statement as to what each witness will testify to;
- j. a list of depositions to be used at trial for purposes other than potential impeachment with identification of specific pages and lines proposed to be published to the trier of facts; and
- k. the signatures of counsel for all parties.

11. No later than five (5) days before the date set for trial, each side shall file and serve on opposing counsel a trial brief or memorandum with citations of authorities and arguments in support on all disputed issues of law.

12. Should this matter settle before trial, the parties shall report the same by sending an email to Judge Norman's case manager at mario_rios@txs.uscourts.gov.

13. Failure to comply with the requirements of this order may result in dismissal of the action, default or other appropriate penalties.

SIGNED 06/07/2023



Jeffrey P. Norman
United States Bankruptcy Judge